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REMARKS

In the Office Action dated September 22, 2005, claims 1-40 are pending in the above application. Claims 1, 30, 36, 37, and 39 are independent claims from which all other claims depend therefrom. Claims 1, 30, 37, and 39 are herein amended.

The Office Action states that claims 1-2, 4, 6, 8-10, 15, 20, 24-27, 37, and 39-40 stand rejected under 35 U.S.C. 102(b) as being anticipated by Anderson (U.S. Pat. No. 3,730,359).

Claim 1 recites an integrated operational ground mobility and support system that includes an airport interface terminal docking port. The terminal docking port has a ground support service sub-system that mates with an aircraft at a service opening. The terminal docking port also has multiple servicing levels. The ground support service sub-system provides multiple services, at least one of which being a non-cargo service, to the aircraft through the service opening and on the stated levels.

Anderson discloses a freight aircraft loading and unloading plant. The plant of Anderson is solely directed to the loading and unloading of cargo on and of an aircraft. The plant includes racks 37-39 and vertical adjusting platforms 28 that may be set at different levels to accommodate the height of the aircraft being loaded or unloaded. The cargo is conveyed up the racks 37-39, over the platforms 28, and through the nose of a freight aircraft. Anderson also discloses the stacking of cargo within an aircraft, see Figure 12 of Anderson.

Applicants submit that Anderson fails to teach or suggest each and every element of claim 1 as originally filed and especially as amended herein. Claim 1 recites the limitation of providing multiple services, one of which being a non-cargo service to the aircraft. Anderson only discloses one service, specifically the loading and unloading of cargo. Applicant notes that he may use functional language, which makes clear the boundaries of the subject matter for which protection is sought. There is nothing wrong with defining some part of an invention in functional terms. In addition, a claim may not be rejected solely

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because of the type of language used to define the subject matter for which patent protection is sought. See *In re Swinehart*, 439 F.2d 210, 160 USPQ 226 (CCPA 1971).

Anderson also fails to disclose the providing of multiple services through a single service opening and on multiple levels, as claimed. Anderson only discloses the providing of a single service, the loading and unloading of cargo, through a single service opening.

In order for a reference to anticipate a claim the reference must teach or suggest each and every element of that claim, see MPEP 2131 and *Verdegaal Bros. V. Union Oil Co. of California*, 814 F.2d 628. Therefore, since Anderson fails to teach or suggest each and every limitation of claim 1, it is novel, nonobvious, and is in a condition for allowance. Since claims 2, 4, 6, 8-10, 15, 20, and 24-27 depend from claim 1, they too are novel, nonobvious, and are in a condition for allowance for at least the same reasons.

Claim 37 recites a method of servicing an aircraft that includes the limitations of providing multiple services over multiple levels simultaneously in a servicing bridge to the aircraft. Anderson fails to disclose providing multiple services. Anderson, as stated, only discloses cargo loading and unloading. Anderson also only discloses the provision of a single service at any given moment in time. Anderson also only discloses the providing of a service over a single level at any given moment in time to a particular aircraft. Thus, Anderson fails to teach or suggest any of the stated limitations. Therefore, claim 37 is also novel, nonobvious, and is in a condition for allowance.

Claims 39 recites an integrated operational ground mobility and support system that includes an aircraft having a plurality of service openings on at least one side of the aircraft and an airport interface terminal docking port that has multiple corridors associated with the openings. Applicants are unable to find a docking port in Anderson that has multiple corridors, and especially not a docking port that has multiple corridors associated with the openings. Anderson discloses only a conveyor bridge 29 that conveys cargo to and from an aircraft. The conveyor bridge does not have any corridors. The conveyor bridge

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has a single structure for transport of only cargo. A corridor generally refers to a hallway or passageway through which people can pass. See *Webster's Third New International Dictionary*. This meaning is also consistent with the present application. There are not any hallways or passageways disclosed in Anderson through which people can pass. Claim 39 also recites the limitation of the ground support service sub-system providing multiple services simultaneously on multiple levels to the aircraft through the service openings. One or more of the services is a non-cargo based service. Anderson only discloses providing a single service, specifically a cargo based service. Anderson fails to disclose any non-cargo based services.

Thus, claim 39 is also novel, nonobvious, and is in a condition for allowance at least in view of Anderson. Since claim 40 depends from claim 39, it too is novel, nonobvious, and is in a condition for allowance for at least the same reasons.

With respect to claim 40, the Office Action states that the terms first class and general class do not add structure. Applicants submit that claim 40 recites a first class corridor and a general class corridor, which do narrow the limitation of a plurality of corridors recited in claim 39. An airport terminal docking port may have multiple corridors and none of them being a first class corridor or a general class corridor. Besides Anderson fails to disclose any corridors, let alone corridors through which first class passengers or general class passengers pass.

Claims 3 and 36 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Anderson in view of Hussein et al. (U.S. Pat. No. 5,600,303).

Applicants submit that since claim 3 depends from claim 1, that it too is novel, nonobvious, and is in a condition for allowance for at least the same reasons.

Claim 36 recites an integrated operational ground mobility and support system for an aircraft that includes an airport interface terminal docking port having multiple ground support service sub-systems. The ground support service sub-systems include a passenger ingress/egress system, an aircraft primary system, an aircraft secondary system, and a health and maintenance

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monitoring system. The passenger ingress/egress system facilitates ingress and egress of passengers to and from the aircraft. The aircraft primary system facilitates the supply, removal, and refurbishment of primary fluids. The aircraft secondary system facilitates cabin servicing of the aircraft. The health and maintenance monitoring system monitors the health of the aircraft.

Applicants submit that Anderson and Hussein alone or in combination fail to teach or suggest any of the above-stated limitations of claim 36. As stated above, the only service that Anderson discloses is a cargo based service for loading and unloading of cargo on and off of a freight aircraft. Anderson does not disclose a passenger ingress/egress system, an aircraft primary system, an aircraft secondary system, and a health and maintenance monitoring system as recited.

Hussein discloses an airport system for detecting concealed explosives and contraband. The system of Hussein monitors baggage and passengers passing through certain check points in an airport. Applicants are unable to find anywhere in the Hussein reference any teaching or suggestion of facilitating the ingress and egress of passengers to and from an aircraft, of facilitating the supply, removal, and refurbishment of primary fluids, of facilitating cabin services of an aircraft, and of monitoring the health of the aircraft including maintenance parameters. The system of Hussein does not facilitate the ingress and egress of passengers to and from an aircraft, but rather inspects passengers at certain check points. There is no mention or disclosure of primary fluids or of cabin cleaning services in Hussein. The health and maintenance monitoring system claimed allows one to monitor and check the status of aircraft systems onboard an aircraft. This permits fleet maintenance to predict when maintenance is needed and to perform the appropriate maintenance ahead of schedule. There is no disclosure or mention of aircraft health and maintenance anywhere in Hussein.

Thus, many of the limitations recited in claim 36 are not taught or suggested in either Anderson or Hussein or a combination thereof. Also, no motivation or suggestion has been provided for combining Anderson and

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Husseiny and performing the several modifications necessary to arrive at the claimed invention. See *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991), *In re Ahlert*, 424 F.2d 1088, 1091, 165 USPQ 418, 420 (CCPA 1970), and *In re Zurko*, 258 F.3d at 1386, 59USPQ2d at 1697 (Fed. Cir. 2001). To assert that the limitations of claim 36 are disclosed by Anderson and Husseiny is to use improper hindsight reasoning in view of the present application, is far reaching, and is to take Official Notice without concrete evidence for support thereof. Applicants are aware that hindsight reasoning is proper so long as it takes into account only knowledge which was within the level of ordinary skill at the time of the claimed invention was made and does not include knowledge gleaned only from the Applicants' disclosure. Applicants believe that to arrive at a conclusion of obviousness, especially in view of the above relied upon references, can only be made through the gleaning of knowledge from Applicants' disclosure. It is never appropriate to rely solely on common knowledge in the art without evidentiary support in the record as the principal evidence upon which a rejection was based. See *In re Zurko*, 258 F.3d at 1386, 59USPQ2d at 1697 (Fed. Cir. 2001).

Thus, claim 36 is novel, nonobvious, and is in a condition for allowance.

Claims 5, 7, 11-14, 21, 22, 30-35, and 38 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Anderson in view of O'Neill (U.S. Pat. No. 3,419,164).

Applicants submit that since claims 5, 7, 11-14, 21, and 22 depend from claim 1, that they too are novel, nonobvious, and are in a condition for allowance for at least the same reasons.

Claim 30 recites an integrated operational ground mobility and support system that includes an aircraft loader/unloader that has multiple ground support service sub-systems. The ground support service sub-systems include a passenger ingress/egress system and provide multiple services simultaneously to the aircraft.

The Office Action states that it would have been obvious to put passenger seats on the pallets of Anderson. Applicants submit that Anderson does not

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disclose or mention the use of pallets. So clearly it would not have been obvious for such placement. Also, Anderson is solely directed to the unloading and loading of freight on and off a freight aircraft. Thus, there is no motivation and there would not be any motivation to incorporate any passenger related systems, devices, or components in the loading and unloading plant of Anderson.

Neither Anderson nor O'Neill teach or suggest an aircraft loader/unloader that has multiple ground support service sub-systems that provide multiple services simultaneously to the aircraft. Anderson discloses the provision of a single service and O'Neill discloses providing only a single service at any instance in time. Although the transfer bus 11 of O'Neill is capable of transferring people and baggages to an area near an aircraft. The bus is raised to different levels to either allow for the transfer of people or baggages, but not both simultaneously, onto the aircraft. This is clear in view of Figure 4 of O'Neill and the corresponding description thereof. The claimed invention however allows for multiple services to be transferred onto or off of an aircraft simultaneously. Applicants also have noted that they may use functional language, which makes clear the boundaries of the subject matter for which protection is sought.

Thus, claim 30 is novel, nonobvious, and is in a condition for allowance. Since claims 31-35 depend from claim 30, they too are novel nonobvious, and are in a condition for allowance.

Applicants submit that since claim 38 depends from claim 37, that it is also novel, nonobvious, and is in a condition for allowance for at least the same reasons.

Claims 16-19, 23, and 28-29 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Anderson.

Applicants submit that since claims 16-19, 23, and 28-29 depend from claim 1, they are also novel, nonobvious, and are in a condition for allowance for at least the same reasons.

The Office Action states that it would have been obvious to provide the terminal of Anderson with vision and GPS docking for accurate docking, to use

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bar-coding on cargo/luggage, and to have aircraft refueling at the terminal, which includes drains and vapor control. Applicants traverse and submit that the Examiner is again taking Official Notice of the stated items without concrete evidence for support and is using improper hindsight reasoning in view of the present application. Also, if Applicants challenge a factual assertion, as the Applicants do herein, as not properly officially noticed or not properly based upon common knowledge, the Examiner must support the finding with adequate evidence. See 37 CFR 1.104(c)(2). Applicants submit that the limitations of an aircraft terminal mating system being in the form of a machine vision technology system, of an aircraft terminal mating system that has a global positioning system, the use of a bar code reader that reads cargo transported to and from an aircraft, and the inclusion of a fuel supply and drainage system incorporated into a tarmac are not known in the art and are clearly not taught or suggested by Anderson. Note that an aircraft is normally and manually piloted by an onboard pilot to a terminal. The pilot receives guidance help from airport personnel down on the tarmac. The aircraft may also be pulled via a tractor to the terminal. Machine vision technology and global positioning systems have not been used to guide, dock, and mate an aircraft on a tarmac to a terminal. Note also that fuel is normally supplied to an aircraft via fuel trucks, not via a fuel system incorporated into a tarmac.

Also, with respect to claim 19, there has been no disclosure or suggestion provided of a guidance system that follow a guideline in mating an aircraft to an airport terminal docking port.

Thus, claims 16-19, 23, and 28-29 are further novel and nonobvious for the stated reasons.

Claims 39-40 stand rejected under 35 U.S.C. 102(e) as being anticipated by Konya et al (U.S. Pat. No. 6,863,243).

Claim 39 is herein amended to recite the limitations of a ground support service sub-system providing multiple services on multiple levels simultaneously to an aircraft through multiple service openings.

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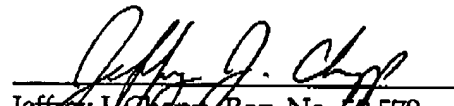
Although Konya discloses a multi-purpose aircraft servicing bridge, Konya does not disclose the simultaneously provision of services on multiple levels.

Thus, Konya also fails to teach or suggest each and every limitation of claim 39. Thus, claim 39 is novel and nonobvious and is in a condition for allowance. Since claim 40 depends from claim 39, it too is novel, nonobvious, and is in a condition for allowance for at least the same reasons.

In light of the amendments and remarks, Applicants submit that all of the rejections are now overcome. The Applicants have added no new matter to the application by these amendments. The application is now in condition for allowance and expeditious notice thereof is earnestly solicited. Should the Examiner have any questions or comments, the Examiner is respectfully requested to contact the undersigned attorney.

Respectfully submitted,

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